

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-346

May 1, 2000

PUBLIC UTILITIES COMMISSION
Amendment to Voluntary Renewable
Research and Development Fund
(Chapter 312)

NOTICE OF RULEMAKING

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Notice of Rulemaking, we propose to amend our current Voluntary Renewable Resource Research and Development Fund rule in accordance with recent legislative changes made to the Restructuring Act. We also propose a change based on recent efforts to implement the rule's provisions.

II. BACKGROUND

On December 10, 1998, we adopted rules to implement the Legislature's directive, contained in the Restructuring Act,¹ that a program be established under which retail consumers of electricity may voluntarily contribute to fund renewable resource research and development. 35-A M.R.S.A. § 3210(5).

Subsequently, the Legislature amended the renewable resource fund section of the statute to specify that the State Planning Office (SPO) is responsible for administering the program, and that funds may be distributed to demonstration community projects that use renewable energy technologies. P.L. 1999, ch. 372.

The purpose of this rulemaking is to modify the existing rule to be consistent with the legislative changes.

III. DISCUSSION OF AMENDMENTS

Section 3: Definitions

We propose to amend the definition of the "renewable resource research and development fund" to specify that demonstration community projects may be supported by consumer contributions. We have also clarified the statutory citation contained in the definition of "renewable resource."

¹ An Act to Restructure the State's Electric Industry, P.L. 1997, ch. 316 (codified at 35-A M.R.S.A. §§ 3201-3217).

Section 4: Transmission and Distribution Utility Obligations

Based on discussions with utilities regarding the implementation of this rule, we propose to add a third mechanism that utilities may use to allow customers to choose to make voluntary contributions. Specifically, we propose to amend section 4(B) so that telephone calls, in addition to check-off mechanisms, may be the manner in which customers communicate their desire to participate.

Section 5: Administration of Program

In this section of the proposed rule, we specify that the SPO will administer the fund and that certain Maine-based non-profit organizations may receive funding for demonstration projects that use renewable energy technologies.

IV. RULEMAKING PROCEDURES

This rulemaking will be conducted according to the procedures set forth in 5 M.R.S.A. §§ 8051-8058. Pursuant to 35-A M.R.S.A. § 3210(5)(D), these are routine technical rules. Written comments on the proposed amended rule may be filed with the Administrative Director no later than June 12, 2000. Please refer to the Docket Number of this proceeding, Docket No. 2000-346, when submitting comments. No public hearing on this matter is presently scheduled, but one will be held if requested by any five interested persons. Persons wishing to request a public hearing on this rule must notify the Administrative Director, Public Utilities Commission, 242 State Street, 18 State House Station, Augusta, Maine 04333-0018 (telephone: (207)287-3831), or on before May 26, 2000.

In accordance with 5 M.R.S.A. § 8057-A(1), the fiscal impact of the proposed rule is expected to be minimal. The Commission invites all interested parties to comment on the fiscal impact and all other implications of this proposed rule.

The Administrative Director shall send copies of this Order and the attached rule:

1. All persons who have filed with the Commission within the past year a written request for Notice of Rulemaking;
2. All persons listed on the service list or who filed comments in *Public Utilities Commission, Voluntary Renewable Resource Research and Development Fund* (Chapter 312), Docket No. 98-620;
3. The Secretary of State for publication in accordance with 5 M.R.S.A. § 8053(5); and

4. Executive Director of the Legislative Council, State House Station 115, Augusta, Maine 04333-0115 (20 copies).

Dated at Augusta, Maine, this 1st day of May, 2000.

BY ORDER OF THE COMMISSION

Raymond J. Robichaud
Acting Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond